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1. REQUEST N		2. DATE IS		3. REQUISITION/	PURC	HASE REQUEST NO.			R NAT. DEF.	RATING	1	_
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5a. ISSUED BY				•			6. DEL	IVER	BY (Date)			
GSO/C&P,						vd., Pasay City						
	5b.	FOR INFORM	ATION CALL (N	IO COLLECT CALL			7. DEL			ОТН	ER	
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	JRNISH QUOTATIO					mation and quotations furnis						
	FFICE IN BLOCK 5 LOSE OF BUSINES					he address in Block 5a. This submission of this quotation						
			domestic origi	n unless otherwise i	indicat	ed by quoter. Any represent						
05/31/2016	3:00 PM	(PHT)		st be completed by t								
	·			LE (Include app	licab	le Federal, State and						
ITEM NO.		SUPPLIE	ES/ SERVICES			QUANTITY	UNIT		UNIT PRICE	AM	MOUNT	
(a)			(b)			(c)	(d)		(e)		(f)	
1 The US Embassy Manila invites you to submit a												
	quotation for	Hotel Acco	mmodation	n and Confere	nce							
	Package on .	June 20-24	, 2016 in									
	Tacloban.					1	LT				0.00	0
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	Diagon refer	to the ottor	had file for	the complete								
		to the attac	med lile for	the complete								
	requirement.											
	Price offer sh	all be firm-	fixed price,	VAT Exempt								
	The attached	FAR/DOS	AR Clause	s will form par	rt							
	of the resulta	nt order.		•								
	Note: All ceti	ona which	are ever ¢a	EK LICD								
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	w/c is now ur	nder Syster	n for Award	d Managemen	t							
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12. DISCOUN	IT FOR PROMPT	PAYMENT					1			NUMBER	PERCENTAC	اد
NOTE: Add	itional provisior	e and renre	contations	X are		l are not attached.						_
NOTE. Auu		AND ADDRES				14. SIGNATURE OF PER	SON AU	THOR	IZED TO	15 DATE OF	QUOTATION	_
a. NAME OF Q		- AND ADDITE	001 000121			SIGN QUOTATION					400 // // // //	55
b. STREET ADI	DRESS							16	. SIGNER			-
						a. NAME (Type or print)				b. TEL	.EPHONE	_
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PROGRAM #1: TRAFFICKING IN PERSONS WORKSHOP FOR NEW INVESTIGATORS AND PROSECUTORS - TACLOBAN CITY (JUNE 21, 2016) PROGRAM #2: TRAFFICKING IN PERSONS AFFIDAVIT DRAFTING WORKSHOP - TACLOBAN CITY (JUNE 22-23, 2016)

Room Accommodation

									ſ
	DESCRIPTION	ROOMS	CHECK-IN	CHECK-OUT	NIGHTS	COST (in PHP)	TOTAL COST	Remark	
Single Occupancy Rooms	ooms	11	6/20/2016	6/24/2016	4		PHP 0.00		
Double occupancy Rooms	Rooms	20	6/20/2016	6/24/2016	4		PHP 0.00		П
	TOTAL						PHP 0.00		
clusions: (pls. mar ss", inclusive / "no st of additional a	inclusions: (pis. mark the columns with an "y" if the ammenities are "yes", inclusive / "no" not inclusive with the room rate. Kindly fill up "cost of additional ammenities / night" in non inclusive.	YES	Q	cost of additional ammenities/night, PHP					
Complimentary Buffet Breakfast	fet Breakfast	×							Τ
Complimentary wi-fi access	i access	×							Τ
Airport Shuttle (10 VANS)	/ANS)	×							Γ
Electronic Safe		×							T.
LCD TV/ DVD/CD		N/A							Γ
l-in additional an	f (fill-in additional amenities as necessary)	N/A							
tel should not b	Hotel should not be less than 4-star Agoda.com rating	×							
									Γ
	TOTAL:						PHP 0.00		
	TOTAL ROOM RATES, PHP:						PHP 0.00		
									-

Function Room (Program # 1)

=	II. Function Koom (Program # 1)								
	DESCRIPTION	NO. OF PAX	BEGIN DATE	END DATE	NO. OF DAYS	COST (in PHP)	TOTAL COST	Remark	
ļ ,.	Conference Package in connection with TIP Workshop for New Investigators and Prosecutors in Tacloban on 06/21/2016 (8:00 am to 5:00 pm)								
. 1	2 Minimum guaranteed no. of persons	50	6/21/2016	6/21/2016	1				
,	3 Maxiumum guaranteed no. of persons	80	6/21/2016	6/21/2016	1		PHP 0.00		
	* CHARGING: Please confirm if hotel can meet below arrangements for actual charges apply not exceeding the maximum guaranteed no. of persons								
	TOTAL:						PHP 0.00		
	Inclusions: (pls. mark the columns with an "x" if the ammenities are "yes", inclusive / "no" not inclusive with the room rate. Kindly fill up "cost of additional ammenities / day" if in non inclusive.	YES	ON						
Ľ,	1 AM Snack, Buffet Lunch, PM Snack	×							Γ
,,,	Conference Seating Arrangement for up to 60 in round tables setup (up to 15pax per table)	×							Π
,.,	Free Flowing Coffee/ Tea Services (continuous water, coffee/tea stations)	×							Τ
_	4 Separate Lunch Area	×							Γ
	5 Beverages During Meal	×							Γ
	6 1-2 LCD Projector	×							Γ
,-	7 4 cordless microphones	×							Г
~	8   Flipchart with paper and markers	×							Γ
٠,	9 Whiteboard with markers								
1	10 Presidential Table for 5 pax (in the afternoon only)	×							

×	×	×	×		×		×					×			
11   1 Rostrum with a microphone and light on the left (front)	12   widescreen (front center) or 2 widscreen (on left and right front)	2 flagpoles with Philippine flag; 2 others to be provided by partner (PCTC AND IACAT)	14 2 wired or wireless microphones for presidential table	15 2 Classroom type	16 1 Registration table with 3 chairs inside conference room	17 Classroom type 35 pax	18 Meetings Pads and Pencils	19 2 Round table at the back for lecturers	Boardroom function room for up to 15-pax in a round table	configuration for full-day (8am-5pm) planning meeting on August 4,	2015; use of 1-LCD projector; no mics needed; meeting pads with	pens/pencils; PM snack and lunch		(fill-in additional amenities as necessary)	

2)	
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Room	
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≝	Function Room (Progra						
	DESCRIPTION	NO. OF PAX	BEGIN DATE	END DATE	NO. OF DAYS		
1	Conference Package in connection with TIP Affidavit Drafting Workshops in Tacloban on 06/22-23/2016 (8:00 am to 5:00 pm)						1
2	Minimum guaranteed no. of persons	40	6/22/2016	6/23/2016	2		1
3	Maxiumum guaranteed no. of persons	70	6/22/2016	6/23/2016	2	PHP 0.00	
	* CHARGING: Please confirm if hotel can meet below arrangements for actual charges apply not exceeding the maximum guaranteed no of persons						
							1
							1
	TOTAL					PHP 0.00	
	Indusions: (pls. mark the columns with an "x" if the ammenities are "yes", inclusive / "no" not inclusive with the room rate. Kindly fill up	YES	ON				
	"cost of additional ammenities / day" if in non inclusive.						
1	AM Snack, Buffet Lunch, PM Snack	×					
2	Conference Seating Arrangement for up to 45 in round tables (11-12pax per table)	×					
3	Free Flowing Coffee/ Tea Services (continuous water, coffee/tea stations)	×					
4	Separate Lunch Area	×					
5	5 Beverages During Meal	×					
9	6   1-2 LCD Projector	×					
7	4 cordless microphones	×					
8	Flipchart with paper and markers	×					
6							
10	10 Presidential Table for 5 pax	×					
11	11 1 Rostrum with a microphone and light on the left (front)	×					
12	1 widescreen (front center) or 2 widscreen (on left and right front)	×					
13	2 flagpoles with Philippine flag; 2 others to be provided by partner (PCTC AND IACAT)	×					

14 2 wired or wireless microphones for presidential table	×				
15 1 Registration table with 3 chairs inside conference room	×				
16 Meetings Pads and Pencils	×				
17 2 Round table at the back for lecturers	×				
(fill-in additional amenities as necessary)					
SUB-TOTAL:				PHP 0.00	
TOTAL FUNCTION ROOMS. RATES, PHP:				PHP 0.00	

:		
	TOTAL ROOM RATES, PHP.	0.00
	TOTAL FUNCTION RM. RATES, PHP.	0.00
	GRAND TOTAL, PHP:	0.00
>	Miscellanous	

GRAND TOTAL:

≥.

>	Miscellanous		
	DESCRIPTION	TOTAL	
1	Business center services(photocopying, printing, internet, etc.)	P20,000.00	

#### Remarks:

Price offer shall be firm fixed-price, VAT exempt. The U.S. Government is exempted from paying the ad valorem/specific tax, customs and duties imposed by the Philippine Government under section 106 (a) and 109 of the Tax Code of 1997, respectively. Thus, price(s) shall be billed to the U.S. Government net of ad valorem tax, value added tax, customs and duties.

Payment shall be made via Electronic Fund Transfer (EFT) within 30 days from receipt of the items ordered and the original copy of invoice. The Direct Deposit Sign Up Form for EFT payment will be provided to the vendor upon award. All items should be delivered to US Embassy Manila Seafront Compound, Pasay City. See attached document for further remarks, including applicable clauses.

All actions which are over \$25K USD, prospective vendor must be registered w/ System for Award Management (SAM)

RFQ is valid until May 31, 2016; 3:00 PM (Philippine Time)

#### Instructions:

If you are interested to participate in this requirement, you may submit your firm fixed price quotation (Exclusive of VAT) to Ms. Marilyn Vita of the Contracting & Procurement, General Services Office, U.S. Embassy Manila through fax at + 632 548-6762 or e-mail it to VitaMS@state.gov or MNLCPRequests@state.gov. Should you have further inquiries, please contact tel. no. 301-2000 loc. 2828.

# CLAUSES FOR PURCHASE ORDERS AND BLANKET PURCHASE AGREEMENTS AWARDED BY OVERSEAS CONTRACTING ACTIVITIES (Current thru FAC 2005-75-83)

#### **COMMERCIAL ITEMS**

#### FAR 52.252-2 Clauses Incorporated By Reference (FEB 1998)

This purchase order or BPA incorporates the following clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this address: <a href="https://www.acquisition.gov/far">https://www.acquisition.gov/far</a>

DOSAR clauses may be accessed at: <a href="http://www.statebuy.state.gov/dosar/dosartoc.htm">http://www.statebuy.state.gov/dosar/dosartoc.htm</a>

#### FEDERAL ACQUISITION REGULATION (48 CFR Chapter 1) CLAUSES

NUMBER	TITLE	DATE
52.204-9	Personal Identity Verification of Contractor Personnel (if	JAN 2011
	contractor requires physical access to a federally-	
	controlled facility or access to a Federal information	
	system)	
52.212-4	Contract Terms and Conditions – Commercial Items	MAY 2015
	(Alternate I (MAY 2014) of 52.212-4 applies if the order	
	is time-and-materials or labor-hour)	
52.227-19	Commercial Computer Software License (if order is for	DEC 2007
	software)	
52.228-4	Workers' Compensation and War-Hazard Insurance (if	APR 1984
	order is for services and contractor employees are <u>not</u>	
	covered by Defense Base Act insurance)	

The following clause is provided in full text:

## 52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS—COMMERCIAL ITEMS (FEB 2016)

- (a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items:
  - (1) <u>52.209-10</u>, Prohibition on Contracting with Inverted Domestic Corporations (Nov 2015)
  - (2) <u>52.233-3</u>, Protest After Award (Aug 1996) (31 U.S.C. 3553).
- (3) <u>52.233-4</u>, Applicable Law for Breach of Contract Claim (OCT 2004)(Public Laws 108-77 and 108-78 (<u>19 U.S.C. 3805 note</u>)).

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

### [Contracting Officer check as appropriate.]

(1) 52.203-6, Restrictions on Subcontractor Sales to the Government (Sept 2006), with
Alternate I (Oct 1995) (41 U.S.C. 4704 and 10 U.S.C. 2402).
(2) <u>52.203-13</u> , Contractor Code of Business Ethics and Conduct (Oct 2015) ( <u>41 U.S.C.</u>
<u>3509</u> )).
(3) 52.203-15, Whistleblower Protections under the American Recovery and
Reinvestment Act of 2009 (June 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts
funded by the American Recovery and Reinvestment Act of 2009.)
(4) <u>52.204-10</u> , Reporting Executive Compensation and First-Tier Subcontract Awards
(Oct 2015) (Pub. L. 109-282) ( <u>31 U.S.C. 6101 note</u> ).
(5) [Reserved].
(6) <u>52.204-14</u> , Service Contract Reporting Requirements (Jan 2014) (Pub. L. 111-117,
section 743 of Div. C).
(7) <u>52.204-15</u> , Service Contract Reporting Requirements for Indefinite-Delivery
Contracts (Jan 2014) (Pub. L. 111-117, section 743 of Div. C).
(8) <u>52.209-6</u> , Protecting the Government's Interest When Subcontracting with
Contractors Debarred, Suspended, or Proposed for Debarment. (Oct 2015) (31 U.S.C. 6101
note).
(9) <u>52.209-9</u> , Updates of Publicly Available Information Regarding Responsibility
Matters (Jul 2013) (41 U.S.C. 2313).
(10) [Reserved].
(11)(i) 52.219-3, Notice of HUBZone Set-Aside or Sole-Source Award (Nov 2011) (15
U.S.C. 657a).
(ii) Alternate I (Nov 2011) of 52.219-3.
(12)(i) <u>52.219-4</u> , Notice of Price Evaluation Preference for HUBZone Small Business
Concerns (OCT 2014) (if the offeror elects to waive the preference, it shall so indicate in its offer)
(15 U.S.C. 657a).
(ii) Alternate I (Jan 2011) of <u>52.219-4</u> .
(13) [Reserved]
(14)(i) <u>52.219-6</u> , Notice of Total Small Business Set-Aside (Nov 2011) ( <u>15 U.S.C. 644</u> ).
(ii) Alternate I (Nov 2011).
(iii) Alternate II (Nov 2011).
(15)(i) 52.219-7, Notice of Partial Small Business Set-Aside (June 2003) (15 U.S.C.
644).

(ii) Alternate I (Oct 1995) of 52.219-7. (iii) Alternate II (Mar 2004) of 52.219-7. (16) 52.219-8, Utilization of Small Business Concerns (Oct 2014) (15 U.S.C. 637(d)(2) and (3)). \_\_ (17)(i) <u>52.219-9</u>, Small Business Subcontracting Plan (Oct 2015) (<u>15 U.S.C.</u> 637(d)(4)). (ii) Alternate I (Oct 2001) of 52.219-9. \_\_ (iii) Alternate II (Oct 2001) of <u>52.219-9</u>. (iv) Alternate III (Oct 2015) of 52.219-9. (18) <u>52.219-13</u>, Notice of Set-Aside of Orders (Nov 2011) (15 U.S.C. 644(r)). (19) 52.219-14, Limitations on Subcontracting (Nov 2011) (15 U.S.C. 637(a)(14)). (20) 52.219-16, Liquidated Damages—Subcon-tracting Plan (Jan 1999) (15 U.S.C. 637(d)(4)(F)(i). (21) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (Nov 2011) (15 U.S.C. 657 f). (22) 52.219-28, Post Award Small Business Program Rerepresentation (Jul 2013) (15 U.S.C. 632(a)(2)). (23) <u>52.219-29</u>, Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (Dec 2015) (15 U.S.C. 637(m)). (24) 52.219-30, Notice of Set-Aside for, or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (Dec 2015) (15 U.S.C. 637(m)). <u>X</u> (25) <u>52.222-3</u>, Convict Labor (June 2003) (E.O. 11755). (26) 52.222-19, Child Labor—Cooperation with Authorities and Remedies (Feb 2016) (E.O. 13126). (27) <u>52.222-21</u>, Prohibition of Segregated Facilities (Apr 2015). \_\_ (28) <u>52.222-26</u>, Equal Opportunity (Apr 2015) (E.O. 11246). (29) <u>52.222-35</u>, Equal Opportunity for Veterans (Oct 2015)(38 U.S.C. 4212). (30) <u>52.222-36</u>, Equal Opportunity for Workers with Disabilities (Jul 2014) (29 U.S.C. 793). \_\_ (31) <u>52.222-37</u>, Employment Reports on Veterans (FEB 2016) (38 U.S.C. 4212). (32) <u>52.222-40</u>, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). X (33)(i) 52.222-50, Combating Trafficking in Persons (Mar 2015) (22 U.S.C. chapter 78 and E.O. 13627). \_\_ (ii) Alternate I (Mar 2015) of <u>52.222-50</u> (<u>22 U.S.C. chapter 78</u> and E.O. 13627). (34) 52.222-54, Employment Eligibility Verification (OCT 2015). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial items as prescribed in 22.1803.)

(35)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items (May 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.) (ii) Alternate I (May 2008) of <u>52.223-9</u> (<u>42 U.S.C. 6962(i)(2)(C)</u>). (Not applicable to the acquisition of commercially available off-the-shelf items.) X (36)(i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (JUN 2014) (E.O.s 13423 and 13514). (ii) Alternate I (Oct 2015) of 52.223-13. X (37)(i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (Jun 2014) (E.O.s 13423 and 13514). \_\_ (ii) Alternate I (Jun 2014) of <u>52.223-14</u>. (38) 52.223-15, Energy Efficiency in Energy-Consuming Products (DEC 2007) (42) U.S.C. 8259b). \_\_ (39)(i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (OCT 2015) (E.O.s 13423 and 13514). \_\_(ii) Alternate I (Jun 2014) of <u>52.223-16</u>. X (40) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (Aug 2011) (E.O. 13513). \_\_ (41) <u>52.225-1</u>, Buy American—Supplies (May 2014) (<u>41 U.S.C. chapter 83</u>). (42)(i) 52.225-3, Buy American—Free Trade Agreements—Israeli Trade Act (May 2014) (41 U.S.C. chapter 83, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, Pub. L. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43. \_\_ (ii) Alternate I (May 2014) of 52.225-3. \_\_(iii) Alternate II (May 2014) of 52.225-3. \_\_ (iv) Alternate III (May 2014) of <u>52.225-3</u>. \_\_ (43) <u>52.225-5</u>, Trade Agreements (FEB 2016) (<u>19 U.S.C. 2501</u>, et seq., <u>19 U.S.C. 3301</u> note). (44) <u>52.225-13</u>, Restrictions on Certain Foreign Purchases (June 2008) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury). (45) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note). \_\_ (46) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150). (47) <u>52.226-5</u>, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).

X (48) 52.232-29, Terms for Financing of Purchases of Commercial Items (Feb 2002) (41 U.S.C. 4505, 10 U.S.C. 2307(f)). X (49) 52.232-30, Installment Payments for Commercial Items (Oct 1995) (41 U.S.C. 4505, 10 U.S.C. 2307(f)). X (50) 52.232-33, Payment by Electronic Funds Transfer—System for Award Management (Jul 2013) (31 U.S.C. 3332). (51) 52.232-34, Payment by Electronic Funds Transfer—Other than System for Award Management (Jul 2013) (31 U.S.C. 3332). (52) <u>52.232-36</u>, Payment by Third Party (May 2014) (31 U.S.C. 3332). (53) <u>52.239-1</u>, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a). (54)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631). (ii) Alternate I (Apr 2003) of 52.247-64. (c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items: [Contracting Officer check as appropriate.] \_\_ (1) <u>52.222-17</u>, Nondisplacement of Qualified Workers (May 2014)(E.O. 13495). (2) <u>52.222-41</u>, Service Contract Labor Standards (May 2014) (41 U.S.C. chapter 67). (3) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67). (4) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67). (5) 52.222-44, Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67). (6) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements (May 2014) (41 U.S.C. chapter 67). (7) <u>52.222-53</u>, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements (May 2014) (41 U.S.C. chapter 67). \_\_ (8) 52.222-55, Minimum Wages Under Executive Order 13658 (Dec 2015) (E.O. 13658). (9) <u>52.226-6</u>, Promoting Excess Food Donation to Nonprofit Organizations (May 2014) (42 U.S.C. 1792). (10) <u>52.237-11</u>, Accepting and Dispensing of \$1 Coin (Sept 2008) (31 U.S.C.

5112(p)(1).

- (d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at <u>52.215-2</u>, Audit and Records—Negotiation.
- (1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.
- (2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR <u>Subpart 4.7</u>, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.
- (3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.
- (e)(1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause—
- (i) <u>52.203-13</u>, Contractor Code of Business Ethics and Conduct (Oct 2015) (<u>41 U.S.C.</u> 3509).
- (ii) <u>52.219-8</u>, Utilization of Small Business Concerns (Oct 2014) (<u>15 U.S.C. 637(d)(2</u>) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$700,000 (\$1.5 million for construction of any public facility), the subcontractor must include <u>52.219-8</u> in lower tier subcontracts that offer subcontracting opportunities.
- (iii) <u>52.222-17</u>, Nondisplacement of Qualified Workers (May 2014) (E.O. 13495). Flow down required in accordance with paragraph (I) of FAR clause <u>52.222-17</u>.
  - (iv) <u>52.222-21</u>, Prohibition of Segregated Facilities (Apr 2015)
  - (v) <u>52.222-26</u>, Equal Opportunity (Apr 2015) (E.O. 11246).
  - (vi) <u>52.222-35</u>, Equal Opportunity for Veterans (Oct 2015) (<u>38 U.S.C. 4212</u>).
- (vii) <u>52.222-36</u>, Equal Opportunity for Workers with Disabilities (Jul 2014) (<u>29 U.S.C.</u> <u>793</u>).
  - (viii) <u>52.222-37</u>, Employment Reports on Veterans (Feb 2016) (<u>38 U.S.C. 4212</u>)

- (ix) <u>52.222-40</u>, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.
  - (x) 52.222-41, Service Contract Labor Standards (May 2014) (41 U.S.C. chapter 67).

(xi)

- \_\_(A) <u>52.222-50</u>, Combating Trafficking in Persons (Mar 2015) (<u>22 U.S.C. chapter 78</u> and E.O 13627).
  - (B) Alternate I (Mar 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O 13627).
- (xii) <u>52.222-51</u>, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) (41 U.S.C. chapter 67).
- (xiii) <u>52.222-53</u>, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (May 2014) (<u>41 U.S.C. chapter 67</u>).
  - (xiv) 52.222-54, Employment Eligibility Verification (OCT 2015) (E.O. 12989).
- (xv) <u>52.222-55</u>, Minimum Wages Under Executive Order 13658 (Dec 2015) (E.O. 13658).
- (xvi) <u>52.225-26</u>, Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; <u>10 U.S.C. 2302 Note</u>).
- (xvii) <u>52.226-6</u>, Promoting Excess Food Donation to Nonprofit Organizations (May 2014) (<u>42 U.S.C. 1792</u>). Flow down required in accordance with paragraph (e) of FAR clause <u>52.226-6</u>.
- (xviii) <u>52.247-64</u>, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (<u>46 U.S.C. Appx. 1241(b)</u> and <u>10 U.S.C. 2631</u>). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.
- (2) While not required, the Contractor may include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of clause)

### DEPARTMENT OF STATE ACQUISITION REGULATION (48 CFR Chapter 6) CLAUSES

NUMBER	TITLE	DATE
652.225-71	Section 8(a) of the Export Administration Act of 1979,	AUG 1999
	As Amended (if order exceeds simplified acquisition	
	threshold)	
652.229-70	Excise Tax Exemption Statement for Contractors Within	JUL 1988
	the United States (for supplies to be delivered to an	

	overseas post)	
652.229-71	Personal Property Disposition at Posts Abroad	AUG 1999
652.237-72	Observance of Legal Holidays and Administrative Leave	APR 2004
	(for services where performance will be on-site in a	
	Department of State facility)	
652.239-71	Security Requirements for Unclassified Information	SEP 2007
	Technology Resources (for orders that include	
	information technology resources or services in which	
	the contractor will have physical or electronic access to	
	Department information that directly supports the	
	mission of the Department)	
652.242-70	Contracting Officer's Representative (if a COR will be	AUG 1999
	named for the order) Fill-in for paragraph b: "The COR	
	is the Special Projects Asst"	
652.242-71	Notice of Shipments (for overseas shipment of supplies)	JUL 1988
652.242-73	Authorization and Performance	AUG 1999
652.243-70	Notices	AUG 1999

The following clause is provided in full text, and is applicable for orders for services that will require contractor employees to perform on-site at a DOS location and/or that require contractor employees to have access to DOS information systems:

### 652.204-70 Department of State Personal Identification Card Issuance Procedures (MAY 2011)

- (a) The Contractor shall comply with the Department of State (DOS) Personal Identification Card Issuance Procedures for all employees performing under this contract who require frequent and continuing access to DOS facilities, or information systems. The Contractor shall insert this clause in all subcontracts when the subcontractor's employees will require frequent and continuing access to DOS facilities, or information systems.
- (b) The DOS Personal Identification Card Issuance Procedures may be accessed at <a href="http://www.state.gov/m/ds/rls/rpt/c21664.htm">http://www.state.gov/m/ds/rls/rpt/c21664.htm</a>.

(End of clause)